

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46357 of 2024

Arising Out of PS. Case No.-69 Year-2024 Thana- CHHATAUNI District- East Champaran

Karan Kumar Son of Bhola Nath Sah R/O Vill.- Mathiya, Ward no. 6, P.S.-
Chhatauni, Dist.- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 07-08-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Chhatauni PS case no. 69 of 2024, disclosing
offences punishable under Section 414 of the Indian Penal Code
and Section 30(a) of Bihar Prohibition and Excise (Amendment)
Act, 2022.
3. The prosecution story, as per the First Information
report, is that one motorcycle was intercepted by the police, on
which two persons were riding, however they started fleeing
away but one co-accused Rama Kumar was arrested, who
disclosed the name of the petitioner, who succeeded in fleeing
away. It is alleged that police recovered 20 liters of illicit



country made liquor from the sacks kept on the motorcycle.

4. Learned Counsel for the petitioner submits that the petitioner is having no criminal antecedent and he has falsely been implicated in this case on the basis of disclosure made by the arrested co-accused person. Petitioner is not the owner of motorcycle, as stated in paragraph no. 7 of the present application. Learned counsel further submits that the illicit liquor has not been recovered from the conscious possession of the petitioner and/ or vehicle belonging to him.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is having no criminal antecedent, he is not the owner of the motorcycle and the illicit liquor has not been recovered from the vehicle belonging to him, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court No.-1, East Champaran at Motihari in connection with Chhatauni PS case



no. 69 of 2024, subject to the condition laid down under Section
438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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